herein contained, shall prevent any prosecution by way of indictment, against any person so offending, but so as that such person shall not be prosecuted by indictment, and also proceeded against under this act, for the same offence.

Weigh-master, duties of.

Sec. 13. *Be it further enacted,* That the said board of aldermen may, at their first monthly meeting after their election, appoint a weigh-master, whose duty it shall be to weigh all cotton sold in said city, and an inspector whose duty it shall be to inspect all flour, provisions and forage, and all other marketable produce, sold in said city, in their judgment requiring weighing or inspection, and the weigh-master and inspector, so appointed, shall give bond with approved security, payable to the aldermen of the city of Charlotte, in a penal sum to be fixed by them conditioned, for the faithful discharge of all duties imposed by law, or the ordinance of said board, and shall take an oath before entering upon the duties of inspector or weigh-master, and the said board shall have power to remove him, or them, for misbehavior or neglect, or malpractice in office, and appoint a successor instead, and the board of aldermen are hereby authorized and empowered to regulate the fees, to be paid for such weighing and inspection, and by whom to be paid, and to make and establish all necessary ordinances for said officers, and to impose fines for the violation of such ordinances.

Aldermen to appoint auctioneer, bond of, etc.

Sec. 14. *Be it further enacted,* That the said board of aldermen, shall, at their first monthly meeting after the election, appoint one or more auctioneers for the city of Charlotte, who shall execute bond in the sum of five thousand dollars payable to the State of North Carolina, conditioned that he will faithfully perform all duties required of auctioneers by law, which bond shall be filed with the clerk of the county court, to be by him safely kept, and no person shall exercise the office of auctioneer in said city, except those duly appointed by the board of